

FOR IMMEDIATE RELEASE
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VIOLENCE AGAINST WOMEN ACT - CIVIL REMEDY LEGISLATION
SIGNED BY GOVERNOR DAVIS

California is the first state to enact gender-motivated violence remedy modeled on federal Violence Against Women Act necessary after U.S. Supreme Court ruling

The Violence Against Women Act Civil Remedy, authored by Assemblymember Hannah-Beth Jackson, Vice-Chair of the Legislative Women's Caucus, was signed by the Governor today. AB 1928, modeled after the civil remedy provision of the federal Violence Against Women Act, provides that a person who commits gender-motivated violence (such as sexual assault or domestic violence) **has violated the civil rights of the victim** who is in turn entitled to recover actual damages, compensatory damages, punitive damages, attorneys fees and costs. The California National Organization for Women is the sponsor of this measure, which is supported by numerous civil rights and women's rights organizations.

"I am pleased to author this landmark civil rights measure that will provide victims of gender-motivated violence with a powerful tool that will enable them to hold their attackers financially responsible for their crimes. Violence against women has reached epidemic proportions in this country. Through this measure, the state of California is making a strong statement about our commitment to ensuring that victims of gender-motivated crimes are able to recover financially from those who commit such violence," explained Jackson.

AB 1928 is modeled after the civil remedy provision in the federal Violence Against Women Act, which was passed by the U.S. Congress with strong bipartisan support in 1994. During four years of hearings that preceded the passage of the federal Violence Against Women Act, the Congress heard testimony about how gender-motivated crimes have a significant impact on women's health and health care costs and women's behavior including where women are willing to work, live, study and travel, as well as, what hours they will work and the forms of transportation they use.

The civil remedy provision was challenged in *United States v. Morrison* (2000) and in a 5-4 decision the U.S. Supreme court ruled that, the Congress lacked the authority to enact this provision on the basis that the right lies solely with the states. Given the opinion in *United States v. Morrison*, **Assemblymember Jackson introduced this measure to ensure that women in California have civil rights protections that recognize and address the prevalence and enormous costs associated with gender-motivated crimes.**

With the Governor's signature on Assemblymember Jackson's AB 1928, California becomes the first state in the nation to enact a gender-motivated violence remedy modeled on the federal Violence Against Women Act since it was overturned by U.S. Supreme Court in 2000.